

BRW003/142280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **BEN K. RICE**

Serial No.: **10/671,222**

Date Filed: **09/24/03**

For: **CONSTRUCTION SAFETY BARRIER**

Group No.:

Examiner:

Atty Docket No. **BRW003/142280**

**RESPONSE TRANSMITTAL**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. Transmittal herewith is an amendment for this application.

2. Applicant is

- ☒ a small entity.  
☐ other than a small entity

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.6(d), 1.8(a) and 1.10)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ deposited with sufficient postage as Express Mail receipt **EV326178057US**, in an envelope addressed to the following: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 10-15-03

Dottie Holloway  
Signature

Dottie Holloway

(type or print name of person certifying)

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete, as applicable)

- ☐ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(4) for the total number of months checked below:

Extension (months)	Fee <u>large entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00
<input type="checkbox"/> five months	\$ 1,960.00	\$ 980.00

Fee: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.
- ☐ Extension fee due with this request \$\_\_\_\_\_

**OR**

- ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

Claims Remaining After Amendment	Highest No. Previously Paid For	Extra Present	Rate	Added Fee
Total: 12	20	0	\$9/18	\$0.00
Independent: 2	3	0	\$42/84	\$0.00
First Presentation of Multiple Dependent Claims:			\$280/140	\$0.00
Total Additional Fees:				\$0.00

(complete (c) or (d), as applicable).

- ☒ No additional fee for claims is required.

**OR**

- ☐ Total additional fee for claims required \$\_\_\_\_\_

### FEE PAYMENT

5. ☐ Attached is our check in the sum of \$\_\_\_\_\_ for the fee of extension of time.
- ☐ Attached is our check in the sum of \$\_\_\_\_\_ for the fee for claims.
- ☐ Attached is our check in the sum of \$\_\_\_\_\_ for a petition to revive an application.
- ☐ Charge Account No. 50-0897 the sum of \$\_\_\_\_\_

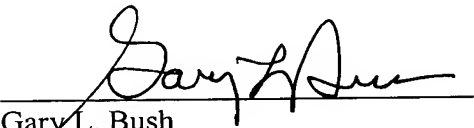
**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Account No. 50-0897  
(BOO001/135818)

**AND/OR**

- ☒ If any additional fee for claims is required, charge Account No. 50-0897  
(BOO001/135818)

Date: Oct 14, 2003

  
\_\_\_\_\_  
Gary L. Bush  
Reg. No.: 27,423  
Andrews Kurth LLP  
600 Travis, Suite 4200  
Houston, Texas 77002  
Tel. No.: (713) 220-4726  
Customer No. 23,444